IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 22ND JANUARY 2007 / 2ND MAGHA 1928

W.P.(C).No. 1202 of 2007(R)

PETITIONER:

C. AIYYAPPAN,
ADVOCATE, PUKKATTU HOUSE, KIZHAKKEPPURAM,
N. PARAVUR-683 513.

BY ADV. SRI.G.PRABHAKARAN

RESPONDENTS:

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1. STATE OF KERALA,
   REPRESENTED BY CHIEF SECRETARY,
   GOVERNMENT SECRETARITE, THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR,
   COLLECTORATE, KAKKANADU, ERNAKULAM,

3. THE REGISTRAR,
   SRISANKARA UNIVERSITY, KALADY.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD
STANDING COUNSEL SRI.B.S.KRISHNAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C)NO.1202 OF 2007

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Dated this the 22nd day of January 2007

JUDGMENT

Writ petition is filed by the petitioner who is an advocate for direction to the Srisankara University, Kalady to pay the fees for land acquisition case conducted by him for the University. Standing Counsel for University submitted that Government counsel was representing University and therefore fees if any payable to the petitioner should be paid by the Government. Government is always represented by Government Pleader whether it be in the High Court or in the district court and lawyer's fee is regulated by terms of appointment. If lawyer is appointed by the University being beneficiary to oppose claim for enhancement of compensation, fee for such lawyer is payable by the University. If more than one lawyer defended the University, then applicable rate of fee is to be shared between them or among such lawyers. Since details of judgment and awards will disclose nature and role of the parties represented by each and every lawyer, I dispose of the writ petition directing the Law Secretary to call for records including payments and decrees and

order payment of eligible fees to petitioner and other lawyers in terms of their engagement and in terms of the observation. The University and District Collector will furnish required information to the Law Secretary. Petitioner can also submit records available with them to the Law Secretary who is directed to take a decision and communicate the same to the petitioner and other parties within two months from the date of production of a copy of this judgment. Petitioner can produce all documents and awards to substantiate his claim. Government and University will pay fees as decided by Law Secretary to Government.

Writ petition is disposed of as above.

C.N.RAMACHANDRAN NAIR, JUDGE

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